REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Thursday, 1st December, 2022

The House met at the Assembly Chambers at 2.30 p.m.

[Temporary Speaker (Hon. Leila Hussein) in the Chair]

PRAYERS

MESSAGES

COUNTY SECRETARY NOMINEE

Temporary Speaker (Hon. Leila Hussein): Hon. Members, I wish to convey a message from H.E the Governor pertaining to the appointment to the Office of the County Secretary. Standing Order No. 43(1) provides that *'the Speaker shall read to the Assembly any message from the Governor or the Senator of the County delivered to the Speaker for communication to the Assembly'.*

In this regard, H. E the Governor conveys that pursuant to Section 44 of the County Government Act and other applicable laws, I Joshua Wakahora Irungu, in my capacity as the Governor of the Laikipia County, hereby forward to the County Assembly for approval the name of the person who was successfully shortlisted by a mandated panel to be considered for appointment for County Secretary; Samuel Koinange Wahome of ID No. 22511257 for the Department of County Secretary.

Hon. Members, pursuant to Standing Order No. 46(1) which stipulates *that upon receipt of a notification of an office as is under the constitution or under any other legislation required to be approved by the Assembly, the nomination shall stand committed to the relevant Sectoral Committee of the Assembly for consideration.*

I commit the aforementioned nominee to the Committee on Appointments. I urge the committee to adhere to the provisions of the Public Appointments County Assembly Approval Act, 2017.

CHIEF OFFICER NOMINEES

Hon. Members, the second communication relates to a message from H.E the Governor on nomination of appointment to the offices of Chief Officers. Hon. Members, Standing Order No. 43(1) provides that *'the Speaker shall read to the Assembly any message from the Governor or the Senator of the county delivered to the Speaker for communication to the Assembly'.*

For clarity, Section 45(1) (b) provides that with the approval of the County Assembly Appointment County Chief Officers, in this regards H.E the Governor conveys that pursuant to Section 45 of the County Government Act and other applicable laws, I Joshua Wakahora Irungu, in my capacity as the Governor of the Laikipia County, hereby forward to the County Assembly for approval the names of the persons successfully shortlisted by the County Public Service Board to be considered for appointment as County Chief Officers.

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1. **Peter Ndirangu Hinga - Department of County Administration and Public Service**
    - He holds a bachelor of Business Management in finance and banking option from Karatina University
    - Has previously worked in the County Government as an economic advisor.
    - His ID No. is 21052516.
2. **Samuel Abram Lemanyishoe - Department of Water Environment and Natural Resources**
    - He is a holder of Bachelors of Arts in International Relations and security studies from Daystar University.
    - He has been the youth in action projects coordinator, worked with AMREF Health Africa and also as Human rights Officer with KNHRC.
    - His ID No. is 27144830.
3. **Daniel Kingori Ngumi - Department of Finance, County Planning and Development**
    - He holds a Master's of Science in commerce, Finance and Accounting from KCA and a bachelors of arts from UON.
    - He worked as AG Chief.
4. **Jecinta Segetet Koree - Department of Youth and Sports**
    - She is a holder of Bachelors of Science in Computer Information System from KEMU.
    - She also holds a certificate in Strategic Development Program and Certificate in Senior Management from KSG.
    - A Certificate in Monitoring and Evaluation from KIM
    - A Certificate as a certified Cyber Security Associate from Information Communication Technology Association of Kenya.
    - Her ID No. is 27296082.
5. **Mary Wanja Gichuru - Department of Livestock and Fisheries**
    - She holds a BSC Agriculture from KEMU.
    - She has a diploma in Animal Husbandry and BURUKA Agriculture College.
    - She has been working in the Ministry of Agriculture for more than 20 years.
    - Her ID No. is 8989699
6. **Samuel Njuki Mahinga - Department of Trade, Tourism, Cooperative and Enterprise**

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- He holds a Master's of Science in Environmental Studies, Environmental biology option from Karatina University.
- Bachelor of Science in Wildlife Management from Moi University
- A diploma in Wildlife Management from KWS Training Institute.
- He has worked as a Deputy Manager Head of Conservation Education and a research Program with Mt. Kenya Wildlife Conservancy.
- He is a part time lecture at Chuka and Karatina University.
- His ID. No. is 23583818.

7. **Kenneth Irumbi Kibara - Department of Lands, Housing, Urban Development and Renewable energy**
    - He holds a Masters of Business Administration in United States International University Africa
    - Bachelor of Commerce Accounting and Finance double major from Strathmore University
    - Diploma in Business Management from Kenya Institute of Management
    - CPA Final Kenya Accounts and Secretaries National Examinations Board.
    - He is currently working as a senior accountant financial accounting with KPLC and has previously worked as an assistant accountant treasury management
    - His ID No. is 22151735
8. **Peter Gatheca Macharia - Department of Infrastructure of Lands Public Works and Urban Development**
    - He holds a Bachelor of Science in Mechanical Engineering from JKUAT
    - He is a member of engineer's board of Kenya No. B4812.
    - Currently he is the economic advisor and acting Chief Officer Infrastructure in the County Government of Laikipia.
    - He previously worked as a Chief Officer Infrastructure CGL under mechanical engineer under the Municipal Council of Mombasa.
    - His ID No. is 22070478
9. **John Mwangi Gichuki - Department of Education, Social Services and Gender**
    - He holds Masters of Education in Education Administration for the University of Nairobi
    - Bachelors of Education Arts at Kenyatta University
    - He has a long time experience in the Education Sector having worked as a teacher in various schools in the county.
    - His ID No. is 11895889.

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Hon. Members, H.E the Governor now seeks the approval of the County Assembly on the nominees for appointment to the said position. In accordance to the provisions of Standing Order 46(1) which requires that *'upon receipt of a notification of nomination for appointment to an office as is under the constitution or under any legal legislation required to be approved by the Assembly, the nomination shall stand committed to the relevant Sectoral Committee of the Assembly for consideration'.*

The names of nominees are hereby referred to the respective sectorial committee as follows;

1) Peter Ndirangu Hinga to be vetted by County Cohesion Justice and Legal matters and Labour Social Welfare and Community Services.
2) Samuel Abram Lemanyishoe to be vetted by the Agriculture, Environment and Natural Resources Committee.
3) Jecinta Segete Koree to be vetted by the Labour, Social Welfare and Community Services Committee.
4) Daniel Kingori Ngumi to be vetted by the Finance and County Planning Committee.
5) Peter Gathecha Macharia to be vetted by the Transport and Public Works Committee.
6) Mary Wanja Gichuru to be vetted by the Agriculture, Environment and Natural Resources Committee.
7) Samuel Njuki Mahinga to be vetted by Trade, Tourism and Cooperatives Committee.
8) Kenneth Irumbi Kibara to be vetted by the Transport and Public Works Committee.
9) John Mwangi Gichuki to be vetted by the Education, Vocational Training and ICT and Labour, Social Welfare and Community Services Committees

Hon. Members, pursuant to the provisions of the Public Appointments County Assemblies Approval Act, requires the County Assembly to consider such nominees and table a report to this House. For clarity, and in order to enable the House to conclude this exercise, I direct the Clerk of the County Assembly to take the necessary action by notifying the nominees and the general public by placing an advert in the daily newspapers of national circulation and on the County Assembly's website of the time and place of holding the approval hearings tomorrow, 2nd December 2022 following which the vetting hearings should commence on Friday 9th December, 2022.

The Sectoral Committees should table the reports in the House not later than Wednesday 21st December, 2022 in order for the House to consider the nominees within the statutory timelines. I thank you.

Hon. Stephen Ndiritu: Hon. Speaker, I have a concern and my concern is only one. This House is a House of order and is governed by the law. The Standing Orders are very clear and the clerk is here to advice. In the absence of the Speaker, the Deputy Speaker takes over. But in this case, in the absence of the Speaker, the Speaker's Panel takes over. That is vice-versa. That is against the Standing Orders.

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It is not even accepted. So if the Deputy Speaker is the one who has given you the mandate to sit on that Chair that could be right. Now I would like to seek from the Deputy Speaker whether he is the one who has given you the permission to sit on that seat. This is a House of order and we must respect the law and order.

Today it is the Deputy Speaker and tomorrow it will be another person and this House will end up in a very bad situation. We are going in the wrong direction. So Madam Speaker, if you need to proceed with this House we must be given a reason why the House is being run like this. This is a House of order and an institution. I do not think that this is a private entity where I can stand today and delegate anything to a person I want to sit on a certain Chair. We need clarification so that we can sit in this House, but if we proceed in this manner we are heading in the wrong direction. Thank you.

Temporary Speaker (Hon. Leila Hussein): Thank you, Hon. Stephen. The Speaker will communicate on Tuesday next week.

Hon. Stephen Ndiritu: Madam Speaker that is not something we will wait to be told. We are the Members of this House and we know the law. The Clerk is here to advice. We are not going to sit here and see and wait as everything goes in the way some people think is the right direction. This matter has to be responded to now because we want to proceed with this sitting. It is illegal. The Deputy Speaker is here and will tell us if he has agreed or not. We voted right here and the law is clear. So, if we are to proceed with business, let us first be told because we are not going to conduct illegal business.

You have read some names there and those names have a certain procedure to follow, but I do not want to go there first because I have seen that we are proceeding wrongly. Let me tell the Members, if we just sit here as things go wrong, I know tomorrow we will blame ourselves. So, if we want this House to be respected, let us resolve these matters now and if not now, right now. Thank you.

Hon. Lekopien Parleto: Thank you, Madam Speaker. I think the Clerk should advise us and read the Standing Orders on what happens when the Speaker is not there and when the Deputy Speaker is also not there. We know the rules that when the Speaker is not there and the Deputy Speaker is also not there, that is when the Speaker's Panel sits on the Chair. We are here today and we have the Deputy Speaker here, why is he not sitting on the Chair? Can the Clerk concerned read to us the Standing Orders and give us the way forward? We cannot sit in a House where everyone is breaking the rules. Thank you.

Temporary Speaker (Hon. Leila Hussein): Thank you, Hon. Parleto. Hon. Theuri you had a point of order?

Hon. Antony Theuri: Thank you, Madam Speaker. First of all, I want to thank the Lord for this day, and the Hon. Members. I just started because I am here having been elected by the Honourable people of Nanyuki Ward. Secondly, it should be noted that it is not a favour being seated on that seat or being the Deputy Speaker. It is in the law. I have no problem with you sitting there but first I want to clarify that I was not notified. However, it is very clear. Just as one person said, when a hyena wants to eat its child it first says that this small hyena smells like a goat.

At the end of the day, if we start following that order, I am aware that Standing Orders No. 28 is going to justify whatever is happening here. I want to urge the Hon. Members here that at the end of the day, we must have the goodwill of this House. We are not going to bring our personal business and personal differences into this House. We need to act professionally

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and honourably. Members, we need to settle this matter once and for all. I also want to clarify that I have no personal vendetta against you neither do I have a personal vendetta against the one Speaker Lantano Nabaala. Thank you.

Hon. Lekopien Parleto: Thank you, Madam Speaker. I think it is in order that you first read to us the Standing Orders so that we can continue with the business. Otherwise we will not continue with business when the rules are there to be broken while we watch in broad daylight. Thank you.

Hon. Salim Edung: Nashukuru sana, Mheshimiwa Spika kwa siku ya leo. Napongeza watu wa Wadi ya Segera na Waheshimiwa ambao wako katika Bunge hili. Hili Bunge liko na sheria. Kuna kuvunja sheria na kurekebisha sheria. Siku ya leo tumekuwa na kiwewe katika Bunge hili. Kuna vitu ambazo haziendi vizuri kwa sababu hakuna kitu ambacho kinaweza kuletwa kwa Bunge na isemekane ya kwamba tupitishe majina kadhaa ilhali tunaona kuna mahali sheria imevunjwa.

Ninaonelea katika Bunge la leo, hasa hiki kipindi tufuate sheria. Tungepitisha majina lakini siku ya leo naona hakuna mjadala ambao tunaweza kupitisha. Asanteni.

Hon. Nicholas Mwaniki: Thank you, Madam Speaker. I don't want to dwell in that issue of who is supposed to talk and who is supposed to sit on that Chair, but I want to request Hon. Members as we address this issue. I don't think it is in order to hit the microphone. The Speaker can see my microphone is on by lighting red. Each and every Member will be accorded his or her chance to speak.

I will request we do not hit the microphone when the light is on. Madam Speaker can see and each and every person will be accorded a chance to speak. Thank you, Hon. Members.

Hon. Lekopien Parleto: It is honour before you continue with any business, the Clerk to advise us. Please read your Standing Orders and let us know what it says so that we know our position in the House. Let us know the position of the Deputy Speaker in the House. Thank you.

Hon. Daniel Mugweru: Madam Speaker, I am really concerned on the issue of producing sound in our microphones because it creates attention, when in one way we see you observing that corner yet you don't look at our corner. Then we will be forced to make you attend to us because we are equal Members. Hon. Speaker, my concern would be, as we wait for the Standing Orders as Hon. Lekopien has just said, it is also important for Hon. Members to air their grievances.

Before you go further, it is important to listen to Hon. Karuiru who I see is waiting to speak and other Hon. Members. It is important for every Hon. Member to air the grievances and the concerns that they have. Madam Speaker, it will be so unfortunate if we start in a wrong footing. The day before yesterday, we were here when Hon. Mugambi was sacrificed. We celebrated when he was sacrificed.

Today, we never know whether it will be Hon. Antony who will be sacrificed. The day after tomorrow it will be me. You know very well when I say this, I have nothing in my heart. I am very clean because we were looking for the same position with Hon. Antony and he defeated me and I am contented. So whenever we give you a position, we should respect that responsibility that we have given unto you.

We never know of tomorrow and the day after tomorrow. If we start with the wrong footing, we will end with that footing. It is important for Hon. Members to be listened to as

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they air their grievances. After airing their grievances, then that is the time we are supposed to expect any response from the Chair. Thank you.

Temporary Speaker (Hon. Leila Hussein): Hon. Member for Ol Moran.

Hon. George Karuiru: Thank you. It is Hon. Karuiru born by Wairimu and Kanyi. First, I appreciate you Madam Speaker for giving me this opportunity and also embrace Hon. Stephen Ndiritu from Thingithu for bringing up this update. Madam Speaker, yesterday, I congratulated the sitting of the Speaker. I congratulated because of the way you sat and embraced those that wanted to give their input in order and I still remain the same.

Madam Speaker, it is prudent that we have orders. This is a House of order and procedurally we have the Chairs of various committees, their deputies and the members. Madam Speaker, I am seeing it prudent and I am talking of this because I was late. I was meeting my Ol Moran people in Nanyuki. I delayed but God is good I am here.

I have heard the Deputy Speaker speak. Yesterday when I gave a congratulatory message to you, I gave it with nothing hidden because I knew out of the Speaker's panel that we chose, I know they have their own procedures. I did because I saw you the first day. Madam Speaker, when I was coming I texted a Member and asked whether the Speaker is in and I was told he is not. I was told it is Madam Speaker today.

I wondered because the Speaker's panel has a panel of speakers. Procedurally, we have the Deputy Speaker who we elected in this House immediately we were sworn it. Madam Speaker, I think we are not headed in the right direction. Madam Speaker, you did not put yourself there so you should not feel grudge against each one of us but we want things to move procedurally. I wonder why and I appreciate the members that were able to attend my thanksgiving party.

I have only one wife and several children who we do not count. It will not be in order if I delegate to a girlfriend in my area who I might be having yet I do not say that I have. It will be prudent to give that girlfriend the mandate of managing that farm that you sow yet I have a wife telling her to manage workers. That is doing badly to the wife. Madam Speaker, before any other business continues in this House, as the honourable Stephen Ndiritu is saying, we should not have any other business.

If the Deputy Speaker does not sit where he is supposed to sit and he is present in the absence of the Speaker, it will be prudent to go on with any other business if the Deputy Speaker does not give the ruling of this House in the absence of the Speaker. Madam Speaker, you should understand that personally I do not have any grudge or any issue with you. I want when I go anywhere as an elected Member of the County Assembly of Laikipia representing people of Ol Moran, anybody who comes be it *mzee wa kijiji*, according to protocol I should be given the last slot to talk after any electorate appears anywhere in all this business.

Madam Speaker, as I have said about the Deputy Speaker and I am saying this, if we are the law makers in this county and give procedures, then it must be Hon. Anthony Theuri who sits as Chair when the Speaker Lantano Nabaala is absent. I can even see the legal officers, the highest have appeared in this House. We must realize that we cannot be taken for granted. Let it be taken to the bank that I am saying as Karuiru wa wairimu and Kanyi.

In the past, we've had issues in this Assembly. Those who don't know how the procedure of this House goes, they must realize that we must follow the law and orders of this House. It cannot be that somebody will be going with an Assembly vehicle and others are less

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granted. You ask for it you are not granted. We must all be treated equally. It's only me who is a Chair without protocol but for others, you must respect how it should be done. For this, it must be left for the whole House to discuss.

Madam Speaker, I know you might not be comfortable. You might be asking yourself *'kwani nimeruka bibi wa mbuzi Mimi nikakalia?'* Madam Speaker, it will be in order for any other business to move in this House, we must have procedure that it will be Deputy Speaker and Speaker's panel in case of Speaker's absence. Thank you very much.

Hon. Joseph Gitahi: Thank you, Mr. Speaker for granting me this opportunity. I thought I should also put my voice before waters spills them all. I first want to say that I respect the law; it is the law that resulted in me sitting in this position. However, I will really appreciate that we have clarity from the Standing Orders before we deviate from the main thing. The matter is just about the interpretation of the clause and we go on. We cannot go to past grudges just because there is a mistake.

Madam Speaker, we have a full Assistant of the Clerk and the legal minds are here so that we can get clarification of the same. Thank you. Let us stick to the main discussion. If there is misinterpretation of the law, we have people who have the legal capacity to advise us here Madam Speaker. Thank you.

Hon. Simon Kanyutu: Thank you Madam Speaker. I am also concerned with the same. It is unfortunate if this House, we can now start deviating from the real truth. In case there is anything that is generating, we need to iron it out. The trend we are taking at the moment, at the end of the day you might get some of our people seeking for security. If the law cannot be followed you will get us going to the confrontation way.

Sometime back, we had Members from Nairobi talking of *mafirifiri* and I would not wish us going to that direction. In case there is any wrong that we need to iron out, we need to do it immediately rather than waiting for things to stray and then come to restructure later. I would wish we follow the law and in case there is disconnect, we sort it out immediately. Thank you.

Hon. Lekopien Parleto: Thank you Madam Speaker I will read out the Standing Orders No. 18; *'the Speaker shall preside in any sitting of the Assembly but in his absence the Deputy Speaker shall preside but in absence of Deputy Speaker, a member of the Speaker's Panel shall preside'.*

To my surprise we have got the Deputy Speaker here, I don't know what is happening. The Speaker's Panel is presiding over. If the rules are to be observed and you really want to continue with the business of the House, can you please follow the rules and orders of the House? Thank you.

[Loud consultations]

Hon. George Karuiru: Madam Speaker, my pledge would be as I can see advisory from the legal is to adjourn or suspend. My request would be for this House to continue. I would want to request for a suspension of 10 or 15 minutes so that we can reorganize ourselves and then we have the right procedures in this House. I know we are not allowed to stand twice on this platform but it's my request that we suspend the House so that we organize ourselves and come back and continue with the business of the House. Thank you.

ADJOURNMENT

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Temporary Speaker (Hon. Leila Hussein): A ruling on all that you have raised will be brought up on Tuesday, 6th December, 2022. Until then, I direct that we adjourn the House until next week Tuesday, 6th December, 2022 at 2.30 p.m.

House rose at 3.06 p.m.

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